IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

WP(C).No. 35134 of 2004(G)

PETITIONER:

VARGHESE MICHAEL, AGED 47 YEARS,
S/O. V.V.MICHAEL, VALUNCAL HOUSE,
EROOR P.O., TRIPUNITHURA, KANAYANNUR TALUK,
ERNAKULAM DISTRICT.

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
ITS CHIEF SECRETARY TO GOVERNMENT OF KERALA,
TRIVANDRUM.

2. KERALA STATE POLLUTION CONTROL
BOARD, REPRESENTED BY ITS SECRETARY,
TRIVANDRUM.

***3. FACT COCHIN DIVISION (AMBALAMUGAL),**
REP. BY ITS MANAGING DIRECTOR.

***ADDL. R3 IS IMPLEADED AS PER ORDER DATED**
13/12/04 IN IA NO. 17159/2004.

****4. THE LOCAL AREA ENVIRONMENTAL COMMITTEE,**
REP. BY ITS CHAIRMAN, KALOOR TOWER, COCHIN.

****ADDL. R4 IS IMPLEADED AS PER ORDER DATED 01/07/05**
IN IA NO. 9390/2005.

BY ADVS. M.K.CHANDRAMOHAN DAS, SC FOR KSPCB
SRI.E.K.NANDAKUMAR SC FOR R3
SRI.A.K.JAYASANKAR NAMBIAR
SMT.PRIYA MAHESH
SMT.PRIYA MANJOORAN
GOVERNMENT PLEADER SRI. K.V.MANOJ
SMT.K.K.THULASY BHAI,SC,POLLUTION C.BOA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 35134/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE R1 DT. 1/11/2004.

RESPONDENT'S EXHIBITS **NIL**

True copy

tga

KURIAN JOSEPH, J.

W.P. (C). NO. 35134 OF 2004

Dated this the 18th day of July, 2007.

J U D G M E N T

This writ petition is filed with the following prayers:

> i) Issue a writ of mandamus or any other appropriate writs, directions or orders commanding the respondents to initiate appropriate action to prevent the pollution of water in Irumpanam-Eroor canal by taking such action as is deemed necessary.
>
> ii) Issue a writ of mandamus or any other appropriate writs, directions or orders commanding the second respondent to inspect the factories which discharge effluent in Irumpanam-Eroor canal and to initiate stringent action against those factories by insisting that pollution effluents are not discharged into the Irumpanam-Eroor canal and also to take action to see that Alkaly which conform to ISI standards is used for the treatment of effluent water in these factories before the same is discharged.

2. In view of the report submitted by the second respondent regarding the action taken in the matter, in case the petitioner has still any grievance left, he may point out the same before the second respondent, in which case, the required

prompt action shall be taken by the second respondent with notice to the affected parties also.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp